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REJECTION OVER A PENDING SECOND APPLICATION**Docket Number (Optional)
F3275(V)

In re Application of: Spindler et al.
 Application No.: 10/005,678
 Filed: December 5, 2001
 For: Aerated Compositions, Process and Apparatus for Achieving Such Aerated Compositions

The owner*, Good Humor Breyers Ice Cream, Division of Conopco, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/005,677, filed on December 5, 2001, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

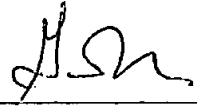
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2. ☒ The undersigned is an attorney or agent of record.


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 11/1/04
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 Gerard J. McGowan, Jr.
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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included. Please charge any additional fees or credit overpayment to Deposit Account No. 12-1155

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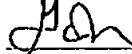
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on November 1, 2004


GERARD J. MCGOWAN
Reg. No. 29,412
Attorney for Applicant(s)

November 1, 2004
Date of Signature

In re application of: Spindler et al.,
Serial No.: 10/005,678
Filed: December 5, 2001
For: AERATED COMPOSITIONS, PROCESS AND APPARATUS FOR ACHIEVING SUCH TREATED
COMPOSITIONS

Group: 1761
Examiner: Nina Nmn Bhatt
Edgewater, New Jersey 07020

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Transmitted herewith is an amendment in the above-identified application.
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	(2) * Claims Remaining After Amendment		(4)** Highest No. Previously Paid For	(5) Present Extra	(6) Rate	(7) Additional Fee
Total Claims		Minus			\$ 18.00	
Independent Claims		Minus			\$ 88.00	
Multiple Claims					\$ 300.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$	

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Gerard J. McGowan
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Reg. #29,412